

Privacy Notice for Pupils, Parents and Carers

Privacy Notice (How we use pupil information) and why do we collect and use pupil information?

The Fermain Academy (part of The Youth Engagement Schools Trust) collects and processes pupil information as part of our public functions under both the Data Protection Act 2018 and General Data Protection Regulation (GDPR). An example of this is the school census return which is a statutory requirement on schools under section Section 537A of the Education Act 1996.

We use the pupil data:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our services
- To comply with the law regarding data sharing

The categories of pupil information that we collect, hold and share include:

- Personal information (such as name, unique pupil number and address)
- Characteristics (like ethnicity, language and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment Information
- Exclusions (Suspensions) / behavioural information
- Relevant medical information
- Special educational needs information
- Medical conditions
- Photographs
- CCTV Images

These lists are not exhaustive.

Collecting pupil information

We collect pupil information via our school admission forms and from Common Transfer Files (CTF) from previous schools. Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data and how will my information be stored?

We hold pupil data for the statutory recommended period. Collected information is held in the school's database.

Who do we share pupil information with?

We routinely share pupil information with:

- schools that the pupils attend after leaving us

A member of:

- our local authority (LA) – to meet our legal obligations to share certain information with it, such as safeguarding concerns and suspensions.
- the Department for Education (DfE) to meet our legal obligations to share certain information with it, such as SEN status, cared for status, free school meals, attendance and previous schools.
- The pupil's family and representatives
- Educators and examining bodies – Test and exam results
- Our regulator – Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Our auditors – to meet our statutory requirements of reporting our financial activity
- Health authorities – to meet the health needs of the pupils and meet our statutory safeguarding requirements
- Security organisations – to ensure the school site is safe and secure
- The National Pupil Database (NPD)
- The YES Trust / Trustees / Governors

From time to time, we may also share pupil information with other third parties including

- NHS Health Professionals including educational psychologists, health and social welfare organisations
- Police and law enforcement agencies including Courts if ordered to do so
- Prevent teams in accordance with The Prevent Duty on schools
- Our insurance providers/the Risk Protection Arrangement

Some of the above may be Data Controllers in their own right in which case we will be jointly controllers of your personal data and may be jointly liable in the event of any data breaches. In the event that we share personal data about pupils with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

These lists are not exhaustive.

Why we share pupil information?

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the DfE either directly or via our local authority for the purpose of those data collections under:
regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the DfE under a combination of software and hardware controls, which meet the current government security policy framework.

A member of:

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, please contact the school office directly and speak to the Office Manager or the Data Protection Officer (DPO) Mr C Heptinstall at dob@theyestrust.org

You also have the right to:

- In certain circumstances, have inaccurate personal data rectified if it is inaccurate or incomplete, blocked, erased or destroyed and
- Claim compensation for damages caused by a breach of the Data Protection regulations
- object to processing of personal data that is likely to cause, or is causing damage or distress
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the ICO at <https://ico.org.uk/concerns/>

Last Updated

We may need to update this privacy notice periodically so we recommend that you revisit the information from time to time and it is available on the school website www.thefermainacademy.org

This was last updated on 10th September 2023.

Contact

If you would like to discuss anything in this Privacy Notice, please contact:

- Mrs Rachel Ward, Office Manager, The Fermain Academy, admin@thefermainacademy.org
- Mr C Heptinstall, the Data Protection Officer (DPO), dob@theyestrust.org

How Government uses your data

- The pupil data that we lawfully share with the Department for Education (DfE) through data collections: underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

Data Collection Requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) (for example; via the school census) go to <https://www.gov.uk/education/datacollection-and-censuses-for-schools>

The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education (DfE) and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department for Education (DfE).

It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

To find out more about the NPD, go to https://www.gov.uk/government/publications/national_pupildatabase-user-guide-and-supporting-information

Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-informationcharter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>